



#7/Response
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Hayes

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

DWIGHT W. STABLER

Serial No.: 09/169,024

Filed: October 9, 1998

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Group Art Unit : 2858

Examiner: V. Nguyen

For: PORTABLE TESTER FOR WATT HOUR METER

RESPONSE

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the Official Action mailed October 26, 2000, and in concert with the telephone conversation with the Examiner on February 21, 2001, please consider the following remarks:

REMARKS

The present invention provides a portable testing device to be used by utility service personnel to determine if an electric meter will operate when a load is applied to it. The present invention does not test for the accuracy of a meter nor does it purport to recalibrate a meter. The present invention is intended as a simple test of the functioning of a meter when under a load. The present invention is intended to be used by field personnel to test the basic operation of a meter that is indicating low or no usage during a billing cycle. The present invention saves time and money by enabling testing at the meter in the field without having to disconnect the meter, replace it with a known operational meter, and transport the questionable meter back to a laboratory for testing.

Claims 1-19 were rejected under 35 U.S.C. § 112, first paragraph, as appearing to "not have sufficient support showing how all elements in the testing device are used for performing tests of a meter under test and what types of the measurements are obtained in order to determine the defects of the meter under test." After a telephone conversation with the Examiner on February 21, 2001, an understanding as to the primary use of the present invention was established. Defects in accuracy or calibration of a meter are not determined by the present invention. The present invention determines whether a meter in situ will operate, that is whether the disc of the meter will turn, when a load is connected to the terminals of the

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